

Senate Judicial Proceedings Parole Briefing

January 12, 2023



**MARYLAND DEPARTMENT OF
PUBLIC SAFETY AND CORRECTIONAL SERVICES**

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**MARYLAND
DEPARTMENT OF
PUBLIC SAFETY AND
CORRECTIONAL
SERVICES**



- **Maryland Parole Commission Overview**
- Parole Eligibility Criteria
- Parole Hearing Process
- Parole Supervision
- Parole Trends



National Standards

A survey of the majority of paroling authorities in the United States by the Association of Paroling Authorities International found that 85% of parole authorities are appointed by a Governor and serve a 5-year term.

No or few appointment requirements	Some appointment requirements	Strict appointment requirements
VA , WV , OR , TN , MI , GA	MD, SC , NJ , KY , CT	MA , PA , RI , NY , NH

“Each member shall be appointed without political affiliation; be resident of the State, and have training and experience in law, sociology, psychology, psychiatry, education, social work or criminology.” (CSA § 7-202)



Maryland Parole Commission (MPC)

- The Maryland Parole Commission (MPC) is charged with determining whether incarcerated persons (IP) serving sentences of six months or more in state or local facilities are suitable for release into the community.
- The authority of the Parole Commission is governed under Correctional Services Article, Title 7 and Title 12 of COMAR.



Composition of MPC

- 10 Commissioners,
- 9 Hearing Examiners
- 54 staff who serve a number of units, including:
 - Parole and Executive Clemency,
 - Parole Services,
 - Post Release,
 - Support Services,
 - Victim Services, and
 - Institutional Parole Associates.



Parole Types

Parole - The discretionary and conditional release of an IP into the community to continue serving the term of confinement, under the supervision of a DPP agent, until the expiration of the full, undiminished term.

Medical Parole- IPs who are chronically debilitated, or incapacitated by medical or mental health conditions as to be physically incapable of presenting a danger to society may be released on medical parole at any time during the term of that IP's sentence without regard to parole eligibility.

Geriatric Parole- IPs that have reached the age of 60 may petition for relief under certain criteria established by the MPC



FY 2022 In Review

- **5,922** Parole hearings between state correctional facilities and local detention facilities
- **959** IPs granted parole from state and local facilities
- **17** Medical paroles granted
- **19** Pardons granted
- **124** Open parole hearings conducted
- **1,407** Warrants issued
- **6** Subpoenas issued
- **5,114** Agent reports processed
- **5,086** Letters sent to victims and/or their representatives

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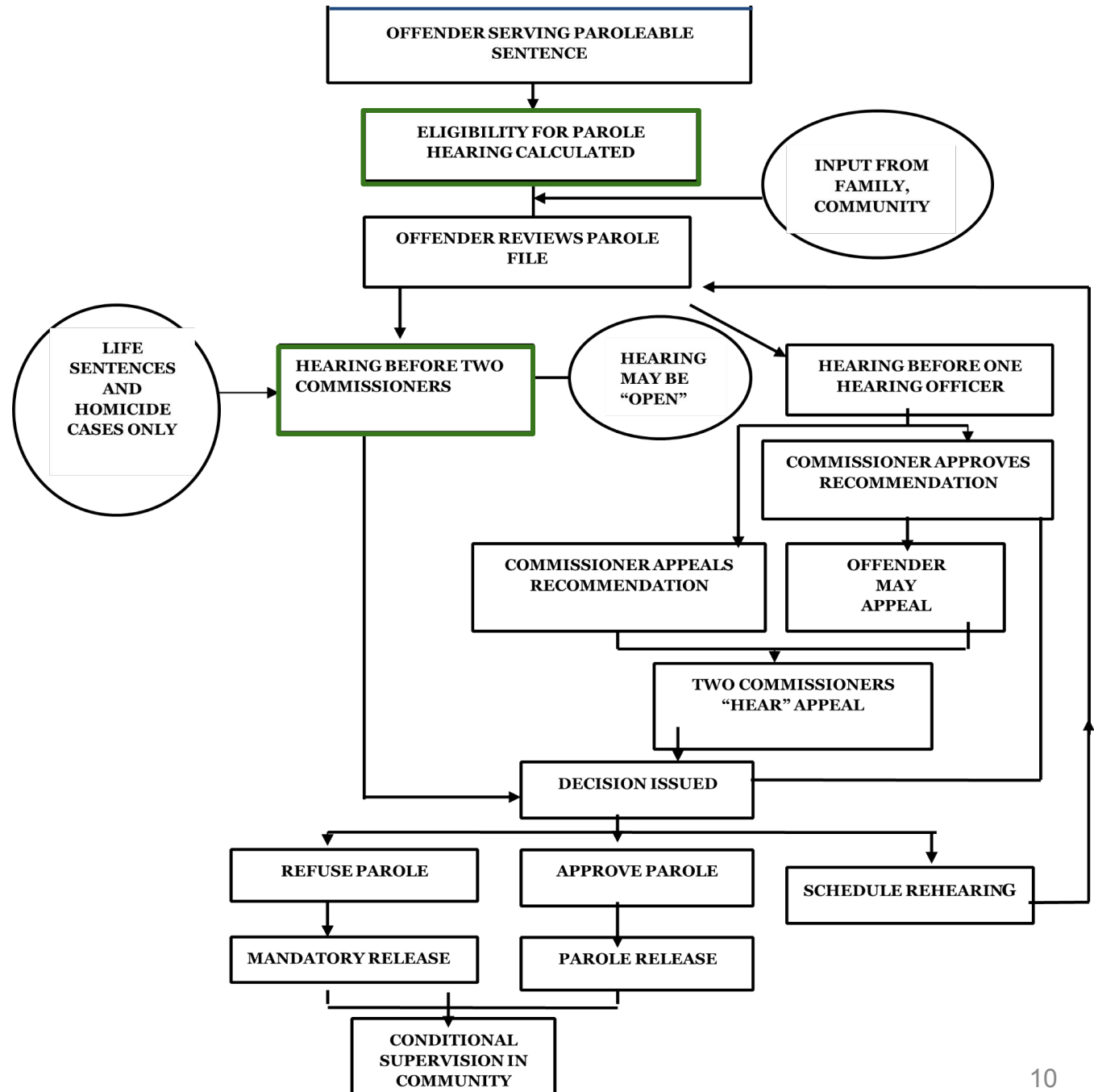
- ☐ Maryland Parole Commission Overview
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Parole Eligibility

- Parole eligibility is determined by sentence length and specific crime(s) the individual is incarcerated for. Eligibility requirements are established in Correctional Services Article § 7 - 301.
- Parole hearings are automatically scheduled by the MPC as soon as an IP becomes eligible. An IP does NOT need to petition the MPC for a hearing.

Parole Process



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Parole Hearing Process

- Institutional parole associates meet with the IP 90 days in advance of the hearing to review the factors being considered.
- Hearings must be conducted in Division of Correction (State) facilities at least one time per month, and as often as necessary at local correctional facilities at which inmates eligible for parole consideration are confined.
- Commission cases include cases with a loss of life, and life sentences, as well as open parole hearings
- Hearing examiners conduct hearings on all non-commissioner cases



Parole Hearing Process (cont.)

- Although a regular parole hearing is not a public hearing open parole hearings are open to the public at the request of the victim or their representative.
- Family members of the IP and their legal counsel may attend; however, only victims or their representatives may speak.
- The intent of the hearing is not to re-litigate the case but to determine eligibility for parole based on multiple factors.



Determining Factors

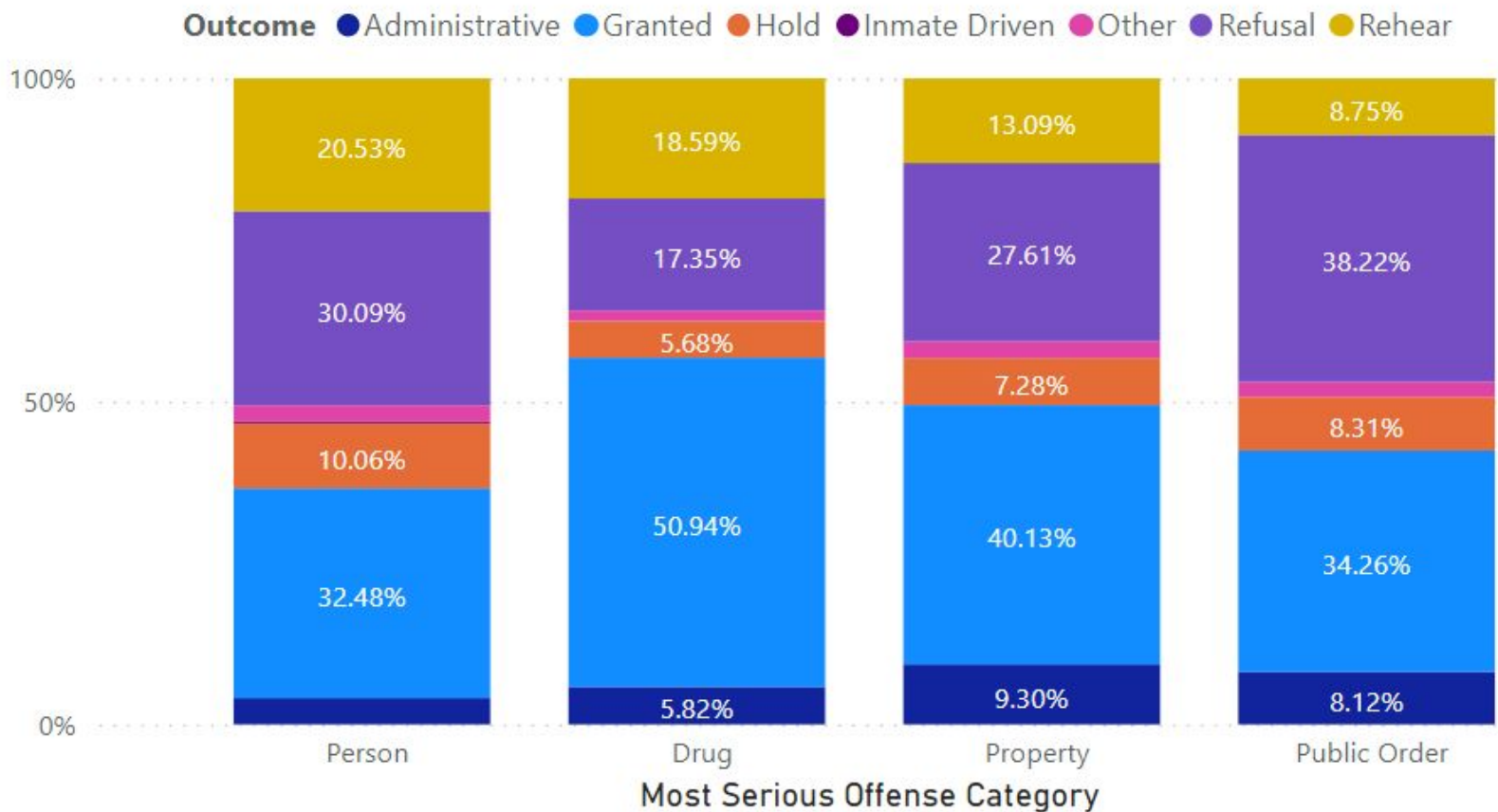
In addition to the factors the parole commissioners consider to determine suitability of an individual, risk assessments are also utilized.

Risk Assessment Tool	Evidence Based	Validated in Maryland	Static or Dynamic Risk Factors	Required for
Public Safety Risk Assessment	Yes	Yes	Both	Individuals who are not serving life sentences.
Historical Clinical Risk Management (HCR) 20	Yes	Yes	Both	Individuals serving life sentences.



Parole Grant Trends

Parole Grant Rates by Offense Type Since 2016



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Community Supervision

- The Division of Parole and Probation (DPP) supervises probationers and parolees who are serving or completing sentences in the community.
- Individuals are released to the community by the courts on probation supervision, by the MPC under parole supervision, and by the Division of Correction under mandatory release supervision.
- Currently, there are 40,000 individuals under community supervision, of which 3,699 are under parole supervision.



Supervision Services

- **Intake and Supervision Levels**

- DPP uses an evidence-based, race-neutral screening tool to determine the appropriate level of supervision; supervision levels are low, low-moderate, moderate, high, and VPI (Violence Prevention Initiative)

- **Community Partnerships**

- Overdose Response Program and Victim Services Unit
- Makes referrals to hundreds of community resources throughout the state
- Partners with specialty courts including Drug Court, Veterans Court, Reentry Court, and Mental Health Court

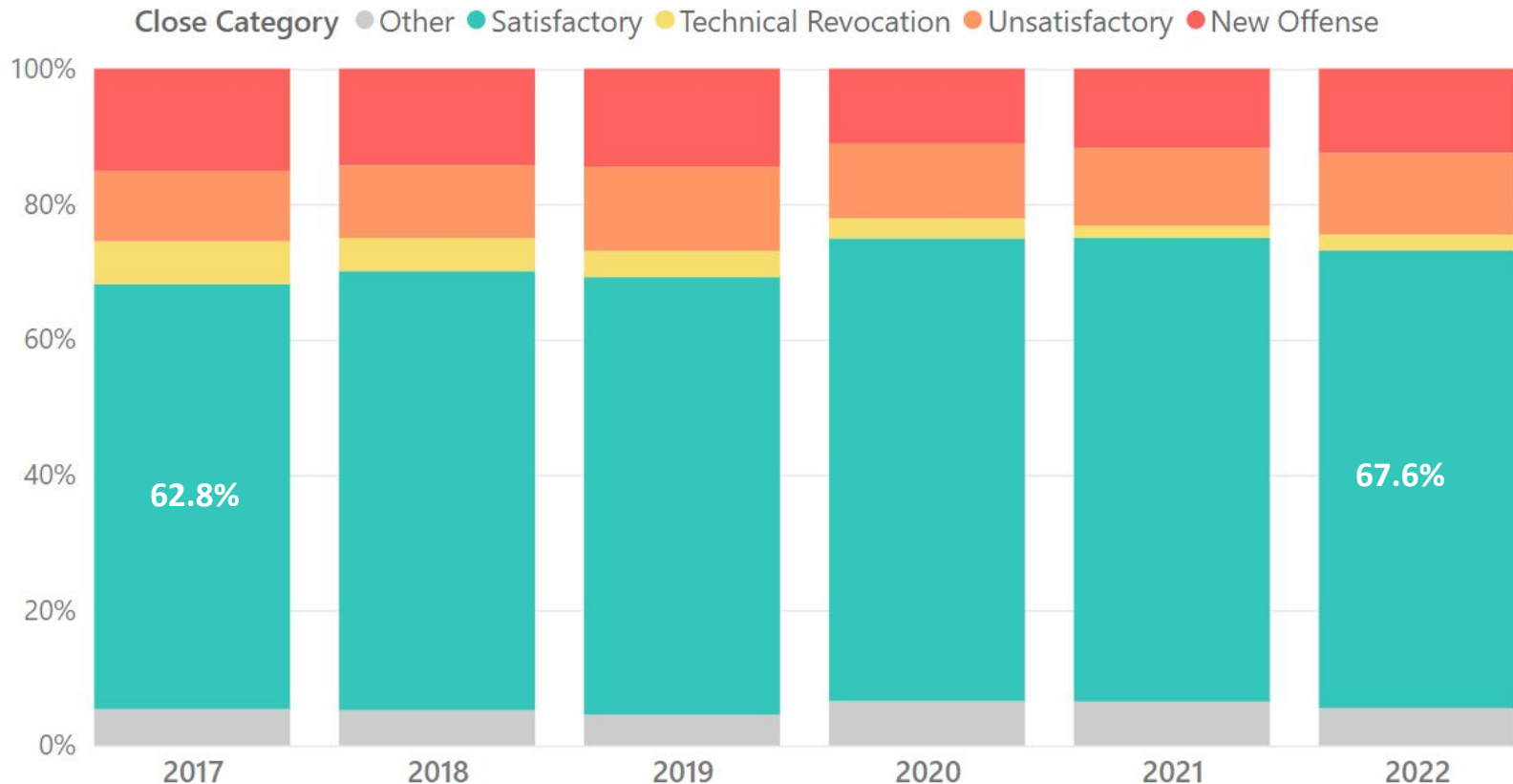
- **Swift Action for Noncompliance**

- Agents use graduated sanctions when supervisees commit infractions or technical violations
- Technical violations must be reported to the Judiciary and Maryland Parole Commission who impose sentences per the Justice Reinvestment Act
- Agents request warrants or summons for instances including new criminal offenses, supervisees who abscond, and escalating technical violations.



Parole Supervision Outcomes

Annual Case Outcomes



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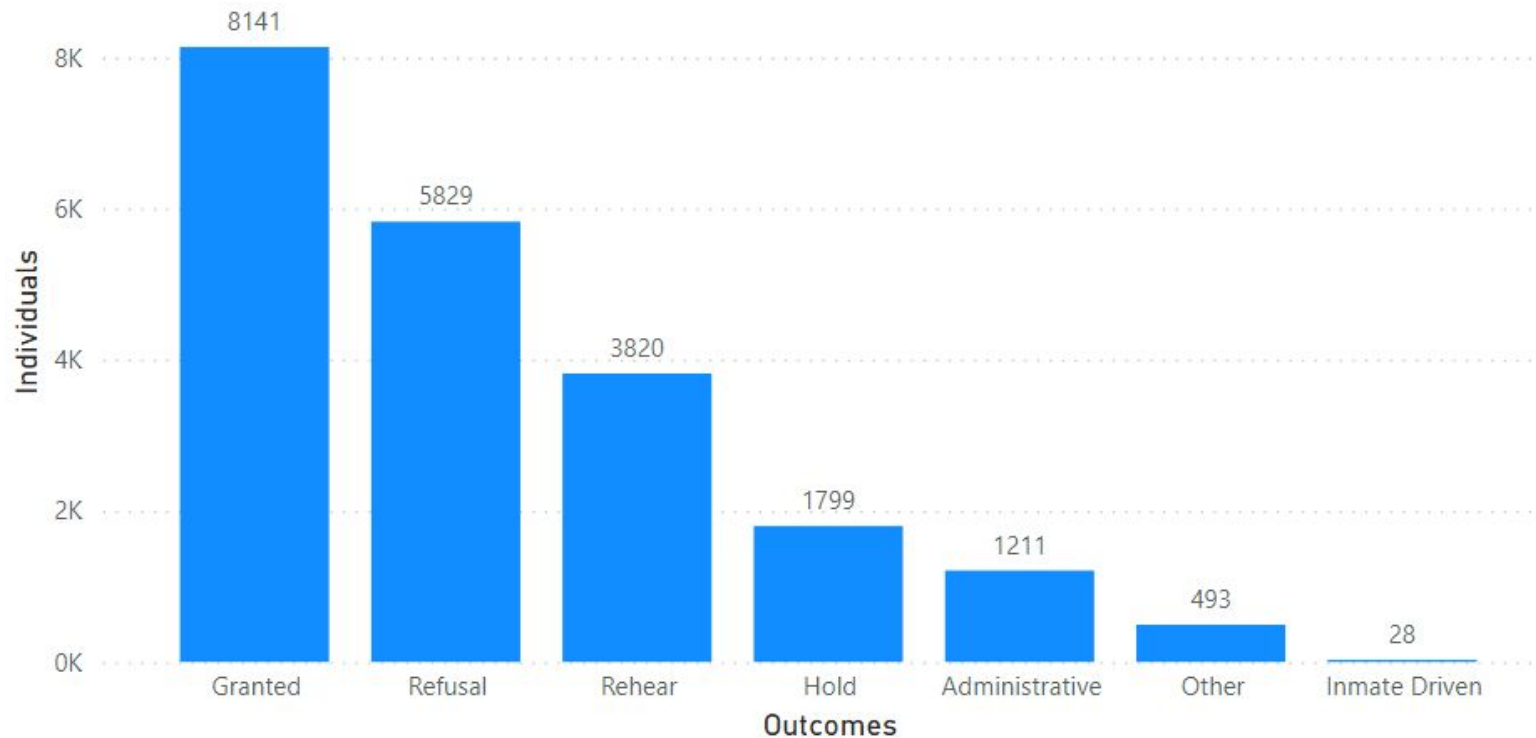


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Parole Grant Trends

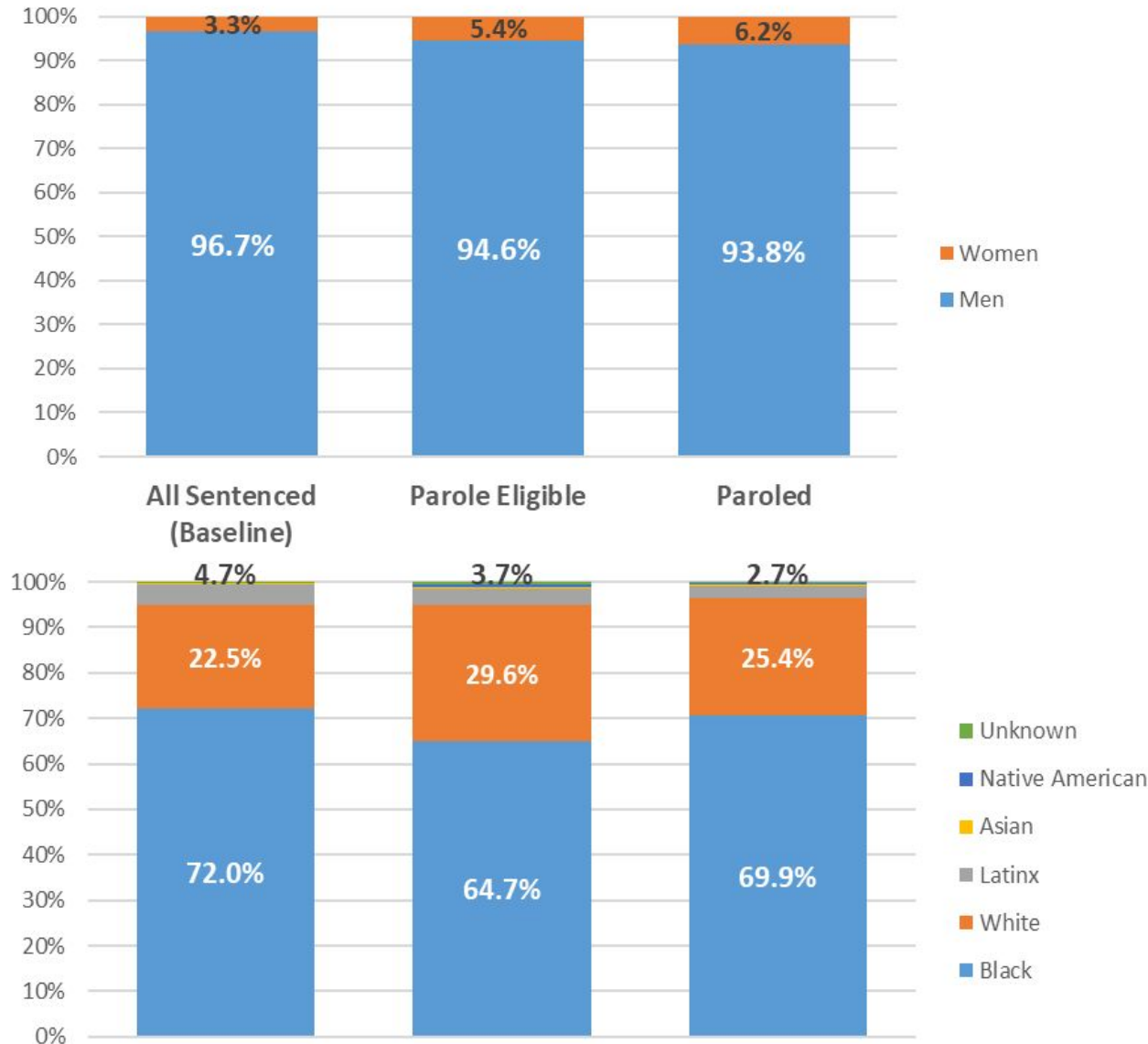
Parole Hearing Outcomes since 2016



Since 2016, more hearings result in granted than in any other type of decision.



Parole Demographics

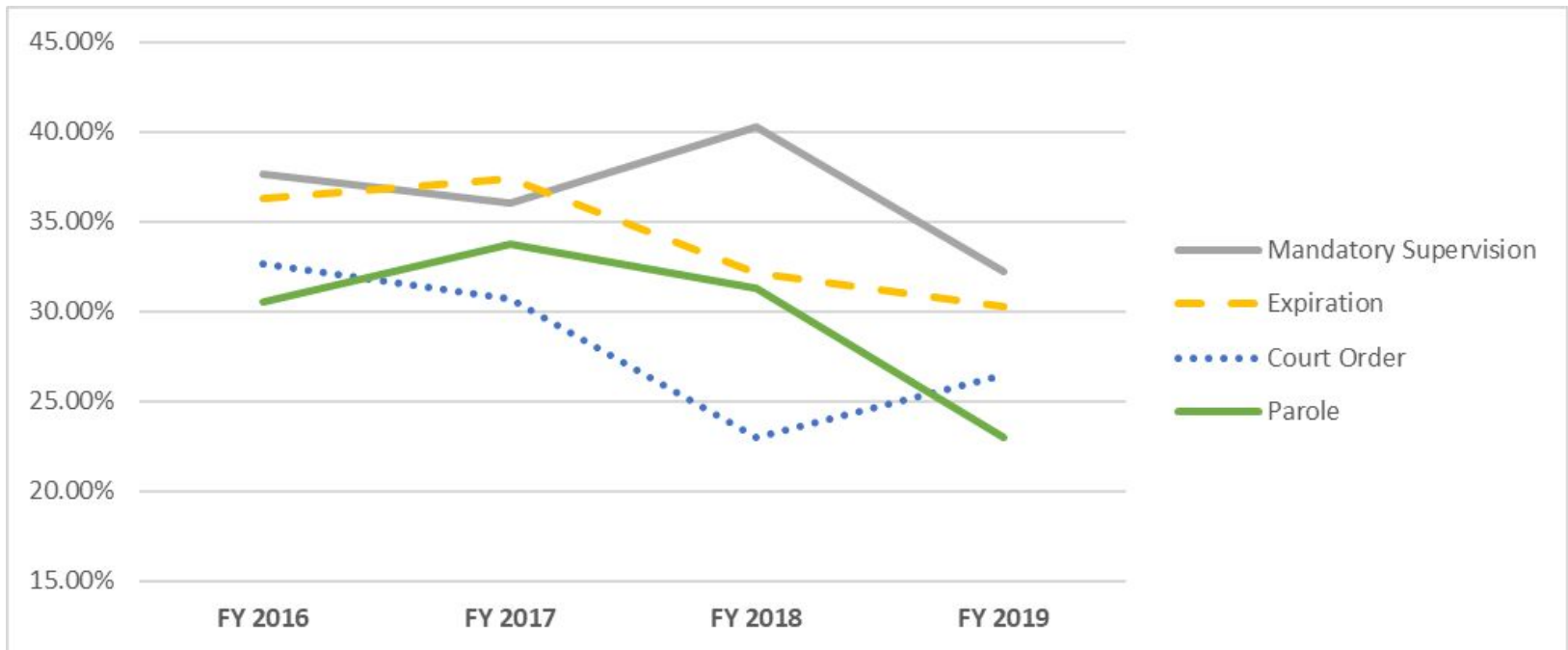


Parole eligibility and parole grant trends mirror overall population and sentencing trends.



Recidivism Trends

Parolees have the lowest 3-year recidivism rate of any initial release group.





Recidivism Trends

Less than 10% of parolees released return to prison on a new sentenced offense within 3 years.

